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**TITLE 312 NATURAL RESOURCES COMMISSION**

**Emergency Rule**  
LSA Document #13-441(E)

**DIGEST**

Temporarily adds noncode provisions to assist with implementation of the Indiana sportsmen's benevolence account established by [IC 14-9-5-4](#). Effective October 1, 2013.

**SECTION 1. In addition to the definitions in [IC 14-8](#) and [312 IAC 1](#), the following definitions apply to this document:**

- (1) "Division" means the division of law enforcement established by [IC 14-9-4-1](#).**
- (2) "Division director" means the director of the division appointed under [IC 14-9-8-6](#).**
- (3) "Fund" means the Indiana sportsmen's benevolence account established by [IC 14-9-5-4\(b\)](#).**
- (4) "Grantee" refers to a qualified organization that receives a grant under this document.**
- (5) "Qualified organization" means a corporation, with exemption status under 26 U.S.C. 501(c)(3), that is incorporated in Indiana and that has as a purpose of the processing of wild animal food products for the state's hungry.**
- (6) "White-tailed deer" means the species *Odocoileus virginianus*.**

**SECTION 2. (a) This document governs a grant made through the fund.**

**(b) This document and the fund are administered by the division.**

**(c) The fund shall be used to provide:**

- (1) Reimbursement to a qualified organization for work performed by a participating meat processor.**
- (2) Reimbursement to the division for expenditures incurred while administering, promoting, or supporting the fund.**
- (3) Program community outreach and education through public information avenues.**

**SECTION 3. (a) To qualify for a grant under this document, a qualified organization must:**

- (1) Submit an application to the division on a departmental form. Except as provided in SECTION 4(d) of this document, only complete requests received timely by the division on an approved application form shall be considered for funding.**
- (2) Show compliance with the definition of a qualified organization.**
- (3) Provide a project description for use of the grant, including the amount of the proposed project.**
- (4) Document estimated costs for each stage of the project**
- (5) Provide a written proposal for any work to be performed by a participating meat processor.**

**(b) Upon reasonable request by the division, a grantee and a participating meat processor must provide access to and copies of all records that show the acquisition of a wild animal and disbursement of the meat and funds.**

**(c) Only ground venison from white-tailed deer taken in Indiana qualifies as a reimbursable consumable product. Ground venison must be provided to the state's hungry in either one (1) or two (2) pound packages which are marked clearly on the outside: Donated Sportsmen's Benevolence Fund Venison – Not for Resale. A member of the state's hungry must not receive more than ten (10) pounds of ground venison each week.**

**(d) A grantee must use a meat processor with a facility that:**

- (1) is subject to inspection by the Indiana board of animal health under [IC 15-17-5-1](#) to produce food for human consumption; and**
- (2) complies with the requirements of the weights and measures program of the Indiana state department of health.**

**(e) A grantee must keep true and accurate records of the number of donors, pounds of donated venison, and charitable recipient group. The records must be submitted to the division by May 1 following the taking of the white-tailed deer. The records must be made available to a conservation officer at all reasonable hours, and copies must be provided to a conservation officer upon request.**

(f) If a grantee or the grantee's participating meat processor violates [IC 14-9-5-4](#) or this document, the department may:

- (1) terminate the grant; and
- (2) demand that funds allocated under this document be returned immediately to the division.

SECTION 4. (a) The division shall not make grant awards that exceed funding anticipated by [IC 14-9-5-4](#) and this document.

(b) Except as provided in subsection (d), the division shall not award a grant other than as provided in SECTION 2(c) and SECTION 3(a) of this document [*SECTIONS 2(c) and 3(a) of this document*].

(c) To achieve compliance with subsection (a), the division shall consider:

- (1) The number of meals which a qualified organization proposes to deliver to the state's hungry.
- (2) The history of success by a qualified organization in delivery of meals to the state's hungry, including compliance with [IC 14-9-5-4](#) and this document.
- (3) The economic efficiency of a qualified organization in achieving delivery of meals to the state's hungry.
- (4) Geographic balance within Indiana in providing meals to the state's hungry.
- (5) Any other factor that serves the purposes of [IC 14-9-5-4](#) and this document.

(d) If available funding exceeds awards to grantees that comply with SECTION 3(a) of this document, the division may make supplemental awards not otherwise inconsistent with [IC 14-9-5-4](#) and this document. Requests for supplemental awards shall be considered in the order the requests are received by the division.

SECTION 5. The following schedule governs applications, actions on applications, and actions concerning approved grants:

- (1) An application for annual hunting season participation must be made by a person that is a qualified organization and filed with the division by October 15, 2013.
- (2) By October 31, the division shall announce whether an application is approved, approved with conditions, or denied.
- (3) By November 15, a grantee must make a budget submission to the division.
- (4) By December 1, the division shall distribute 75% of the grant amount to the grantee.
- (5) By December 31, the grantee must submit invoices to the division with respect to the anticipated asset and liability status for grant cycle.
- (6) By January 30, the grantee must request the remaining grant percentage (not to exceed twenty-five percent (25%)) or make repayment to the division for any distribution overage.
- (7) By April 1 following the taking of a white-tailed deer, a grantee must make final distribution of venison.
- (8) By May 1, a grantee shall make its final annual report to the division.
- (9) By May 15, the division director shall provide a final report of fund expenditures, families affected, historical perspectives, and goals accomplished during the preceding fiscal year.

SECTION 6. SECTIONS 1 through 5 of this document take effect on October 1, 2013.

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